

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of _____)	
Implementation of Section 621(a)(1) of _____)	
the Cable Communications Policy Act of 1984)	MB Docket No. 05-311
as amended by the Cable Television Consumer)	
Protection and Competition Act of 1992 _____)	

COMMENTS OF CITY OF LYNWOOD

These Comments are filed by City of Lynwood in support of the comments filed by the National League of Cities and the National Association of Telecommunications Officers and Advisors ("NATOA"). Like NLC and NATOA, City of Lynwood believes that local governments can issue an appropriate local franchise for new entrants into the video services field on a timely basis, just as they have for established cable services providers. In support of this belief, we wish to inform the Commission about the facts of video franchising in our community.

Cable Franchising in Our Community

Community Information

City of Lynwood is a city with a population of 73,212. Our franchise cable provider is Comcast. Our community has negotiated cable franchises since 1972.

Competitive Cable Systems

- Our community has a small number of cable subscribers, which makes negotiations with the current franchise holder difficult in securing favorable terms for our community. The City welcomes competition to increase our leverage in the negotiations.
- Our community does have mechanisms in place to offer the same or a comparable franchise to a competitor upon request. The Lynwood Municipal Code grants nonexclusive franchise. The City reserves the right to grant, at any time, such additional franchises for a cable communications system, as it deems appropriate.

Conclusions

The local cable franchising process functions well in City of Lynwood. As the above information indicates, we are experienced at working with cable providers to both see that the needs of the local community are met and to ensure that the practical business needs of cable providers are taken into account.

Local cable franchising ensures that local cable operators are allowed access to the rights of way in a fair and even handed manner, that other users of the rights of way are not unduly inconvenienced, and that uses of the rights of way, including maintenance and upgrade of facilities, are undertaken in a manner which is in accordance with local requirements. Local cable franchising also ensures that our local community's specific needs are met and that local customers are protected.

Local franchises thus provide a means for local government to appropriately oversee the operations of cable service providers in the public interest, and to ensure compliance with applicable laws. There is no need to create a new Federal bureaucracy in Washington to handle matters of specific local interest.

Finally, local franchises allow each community, including ours, to have a voice in how local cable systems will be implemented and what features (such as PEG access, institutional networks or local emergency alerts, etc.) will be available to meet local needs. The franchise mechanism also allows us to charge the providers for the costs related to the use of our right of way and infrastructure. These factors are equally present for new entrants as for existing users.

The City of Lynwood therefore respectfully requests that the Commission do nothing to interfere with local government authority over franchising or to otherwise impair the operation of the local franchising process as set forth under existing Federal law with regard to either existing cable service providers or new entrants.

Respectfully submitted,



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